Case 7:07-cv-06651-CLB Document 5

Filed 09/11/2007 Page 1 of the Surant, J.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Trustees of the Teamsters Local 456 Pension, Health & Welfare, Annuity, Education & Training, S.U.B., Industry Advancement and Legal Services Funds and the Westchester Teamsters Local Union No. 456,

Index No. 07 CIV6651 (CLB)

Plaintiffs,

VOLUNTARY NOTICE OF DISMISSAL

-and-

Cortlandt Transportation Inc.,

Defendant.

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure

41(a)(1)(i) plaintiffs, by the undersigned attorney of record, hereby voluntarily dismiss the above entitled action without prejudice

Dated: September 5, 2007 Elmsford, New York

> BARNES, JACCARINO, VIRGINIA, AMBINDER & SHEPHERD, PLLC

Karin Arrospide, Esq. (KA9319) Attorney for Plaintiffs 258 Saw Mill River Road Elmsford, New York 10523 (914) 592-1515

SO ORDERED:

dated 9/11/07